



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 5 1988

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSEMEMORANDUM

SUBJECT: Addendum to Region II's Request for an Exemption to the \$2 Million Statutory Limit and Ceiling Increase for the Arkansas Chemical Company site, Newark, New Jersey--TRANSMITTAL MEMORANDUM

FROM: Timothy Fields, Jr., Director
Emergency Response Division

A handwritten signature in dark ink, appearing to read "Timothy Fields, Jr.", is written over the printed name and title.

TO: J. Winston Porter
Assistant Administrator

THRU: Henry L. Longest II, Director
Office of Emergency and Remedial Response

A handwritten signature in dark ink, appearing to read "H. Longest II", is written over the printed name and title.

ISSUE:

Region II has requested approval for continuation of a removal action at the Arkansas Chemical Company site in Newark, New Jersey. It is estimated that an additional \$1,586,000, will be required to complete the removal action at this site. If approved, the total project ceiling will be raised from \$1,968,000 to \$3,554,000.

DISCUSSION

Region II's \$2 million exemption and ceiling increase request of June 6, 1988, provides background information about the site and summarizes removal actions taken to date. The work required under this action is within the original scope of work approved by the Regional Administrator on August 10, 1987. A copy of the Action Memorandum is attached for your information. This Addendum also provides additional information to clarify the Region's exemption request as follows:

The language in the "Criteria for Exemption from Statutory Limits" section, should be clarified with the following information concerning radioactive wastes and the decontamination of the buildings.



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B. CONTINUED RESPONSE ACTIONS ARE IMMEDIATELY REQUIRED TO PREVENT, LIMIT, OR MITIGATE AN EMERGENCY

The radioactive wastes discovered at this site are Thorium and Tritium. Both are classified as toxic materials which emit a beta type radiation. If ingested they have been proven to be carcinogenic. Levels cannot be detected because the materials are containerized and beta radiation emitted can be shielded by glass containers. If left on-site, there is a possibility of human direct contact as a result of container breakage. Additionally, ingestion of these materials can be serious and possibly fatal. As noted in the Region's request, vagrants and vandals are known to trespass on this site. The Region has coordinated with the Radiation program and has obtained approval for the disposal of the radioactive materials. Approximate costs for disposal are \$1000.00

The concrete floors of the site buildings are covered with a residual mixture of chemicals. The mixture of these materials originally tested and had a pH ranging from 2 to 11. As part of the removal, the floors were drained of the liquid covering them and most of the solid materials which had been bonded to the floors were scraped free. Because of the years of spillage that occurred at this site, these solid materials were actually etched into the concrete. Now a substantial amount remains which should be removed to eliminate the direct contact threat. With the spring rains, water has leaked into the buildings and accumulated on the floors. The concrete is now discolored and pH levels are in the acidic and caustic range. This confirms the presence of hazardous substances bonded to the floors, and each time a precipitation event occurs, will result in the continued spread of these hazardous substances and renewed human direct contact threat.

RECOMMENDATION:

Since site conditions continue to meet CERCLA section 104(c) criteria, I recommend that you approve an exemption from \$2,000,000 statutory limit and increase in the total project ceiling of \$1,586,000 for the removal action at the Arkansas Chemical Company site. This increase will raise the total project ceiling to \$3,554,000, of which \$2,731,000 is for extramural cleanup contractor costs. The funds required for this action are within the Region's Removal allocation for fiscal year 1988. You may indicate your decision by signing below.

Approve: _____

Date: 7/11/88

Disapprove: _____

Date: _____

Attachments



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JUN 30 1988

MEMORANDUM

SUBJECT: \$2 Million Exemption Request, Arkansas
Chemical Company Site, Newark, New Jersey

FROM: Lee R. Tyner *Lee R. Tyner*
Attorney
Solid Waste & Emergency Response
Division (LE-132S)

TO: J. Winston Porter
Assistant Administrator for
Solid Waste & Emergency Response (WH-562A)

THRU: Lisa K. Friedman
Associate General Counsel
Solid Waste & Emergency Response
Division (LE-132S)

We have reviewed the above-described exemption request and
do not believe that it presents any significant legal problems.

REGION II \$2 M EXEMPTION/CEILING INCREASE
ARKANSAS SITE, NEWARK, NEW JERSEY

1. **ISSUE:** Region II is seeking AA/OSWER approval of a \$2 M exemption and ceiling increase request. The Region is requesting \$1,586,000 to continue removal activities at this site. If approved, the total project ceiling will be raised from \$1,986,000 to \$3,554,000, of which \$2,731,000 is for extramural cleanup contractor costs. Funds for this project are within the current regional removal allocation.
2. **BACKGROUND:** This site is an abandoned textile chemical manufacturing facility covering approximately 2 acres of a dilapidated industrial park. This site is less than 100 yards from the NJ Turnpike and less than a quarter mile west of Newark. There have been 3 reported break-ins since January. Left on-site are flammable materials and other hazardous substances. The fire/explosion and direct contact threats will continue to exist at this site until disposal of these materials occurs.
3. **ACTIONS TO BE TAKEN:** The proposed actions to be taken under this ceiling increase include removing the remaining hazardous substances and disposing of the wastes at an approved disposal facility off-site.
4. **OPTIONS:** Headquarters generally has four options when handling these types of Regional requests. The AA/OSWER can approve the request, partially approve the request, disapprove the request, or request more information, clarification, etc., before making a decision on the Regional request.
5. **TIMING:** This action memorandum with the addendum proposes to mitigate the threats to public health and the environment posed by fire/explosion and direct contact threat. Region II wants to initiate these proposed removal actions as soon as possible. Summer temperatures can intensify the possibility of the fire/explosion threat.
6. **CONSISTENCY WITH REMEDIAL MEASURES TO BE TAKEN:** This is a non-NPL site. The continued removal actions will result in total mitigation of all known human health threats and environmental hazards posed by this site.
7. **RECOMMENDATION:** OERR recommends that the AA/OSWER approve this emergency removal action with the inclusion of the clarifications made in the addendum. This action satisfies the three criteria of section 104(c) of CERCLA, which must be met before the \$2 M statutory limit for removal actions can be waived. Please indicate your decision on the addendum to the Region II action memorandum.